

**Intertribal Technical-Assistance Working group on
Special Domestic Violence Criminal Jurisdiction (ITW)
7th In-Person Meeting
December 5, 2016**

CATALINA ROOM, RENAISSANCE HOTEL, AGUA CALIENTE RESERVATION

Monday, December 5

8:30 – 9:00 a.m. **OPTIONAL: Pre-meeting Welcome to ITWG and Refresher to Review the Basics of 25 U.S.C. 1304 – Special Domestic Violence Criminal Jurisdiction**

Virginia Davis, National Congress of American Indians

9:00 – 9:10 a.m. **Traditional Opening & Welcome**

Juana Majel Dixon, Traditional Councilwoman, Pauma Band of Mission Indians

9:10 – 9:20 a.m. **Overview of Inter-Tribal Working Group Meeting**

John Dossett, National Congress of American Indians (NCAI)

Steve Aycock, National Council of Juvenile & Family Court Judges (NCJFCJ)

9:20 – 10:50 a.m. **Update from Implementing Tribes**

There are at least 13 tribes who have implemented SDVCJ under VAWA. Each tribe will provide a brief update on their cases and highlight challenges and successes with implementation. The implementing tribes will be asked to specifically address what they would have done differently and lessons learned.

- Pascua Yaqui Tribe (AZ)
- Tulalip Tribes (WA)
- Confederated Tribes of the Umatilla Reservation (OR)
- Sisseton-Wahpeton Oyate (SD/ND)
- Assiniboine & Sioux Tribes of the Ft. Peck Reservation (MT)
- Little Traverse Bay Band of Odawa Indians (MI)
- Eastern Band of Cherokee Indians (NC)
- Seminole Nation (OK)
- Nottawaseppi Huron Band of the Potawatomi (MI)
- Standing Rock Sioux Tribe
- Muscogee (Creek) Nation
- Sac and Fox Nation
- Kickapoo Tribe of OK
- Others?

Updates from Other ITWG Member Tribes

Please be prepared to give a brief update on where your tribe is with implementation, including any issues your tribe would like to discuss.

10:50 – 11:00 a.m. **Break**

11:00 – 12:00 p.m. **Defense Bar Perspectives on SDVCJ**

During this session we will hear from criminal defenders from several of the implementing tribes about their experiences with implementation.

Moderator: Steve Aycock, NCJFCJ

Melissa Acosta, Pascua Yaqui Tribe

Chris Siewers, Eastern Band of Cherokee Indians

Dustin Kuipers, Ft. Peck Assiniboine Sioux Tribe

12:00 – 1:00 p.m. **Working Lunch – Responding to Violence Against Indian Women – Coordinated Community Response**

Jeremy Nevilles-Sorrell, Mending the Sacred Hoop

During this session participants will explore a holistic overview of the dynamics of domestic violence and how it impacts individuals and the community as a whole. The importance of a comprehensive community-wide response to domestic violence will be discussed.

1:10 – 2:30 p.m. **Breakout 1**

Defense Bar Discussion of SDVCJ Implementation – Pueblo A

Moderator: Chia Halpern Beetso, Tribal Law and Policy Institute (TLPI)

During this session criminal defenders from the ITWG member tribes will have an opportunity to discuss common concerns and questions that arise when tribes begin implementing SDVCJ including: funding, staffing resources, code development, and habeas challenges.

Breakout 2

Tribal Judges: Discussion of Implementation and Exercise of SDVCJ – Pueblo B

Moderator: Steve Aycok, NCJFCJ

During this session tribal judges will have an opportunity to talk with their peers about specific issues related to SDVCJ implementation. This session is open to tribal judges only.

Breakout 3

Prosecutors Discussion of SDVCJ Implementation - Due Process in Tribal Courts – Chino A/B

Moderator: John Dossett, NCAI

Participants will have an opportunity to discuss common concerns and questions that arise in implementation of SDVCJ. They will also discuss due process in tribal courts in light of the 9th Circuit's recent decision in Alvarez v. Tracy and the question of whether it is necessary to prove non-Indian status of the defendant in SDVCJ cases.

Breakout 4

Implementation of SDVCJ: Community engagement, tribal leader support, and code drafting – Catalina Room

Moderator: Kelly Stoner, TLPI

Panelists: Judge Melissa Pope, Nottawaseppi Huron Band of Potawatomi

Elizabeth Cook, Attorney, Nottawaseppi Huron Band of Potawatomi

Patti McClure, DV Victim Advocate, Nottawaseppi Huron Band of Potawatomi

During this session the Nottawaseppi Huron Band of Potawatomi will discuss how they engaged stakeholders in the implementation process, secured the support of tribal council, and approached revisions to their codes, policies, and procedures. Participants will also learn about tools and resources available to help assist with SDVCJ implementation.

2:40-3:10 p.m. **Reports from Breakout Sessions**

Each breakout session will provide a brief update on their discussion.

3:10 – 4:15 p.m. **Updates and Discussion with DOJ & DOI**

*Marcia Good, U.S. Department of Justice (USDOJ), Office of Tribal Justice
Ted Zalewski, USDOJ, TAP Program
Lorraine Edmo, USDOJ, Office on Violence Against Women
William “Bill” McClure, Office of Justice Services, Bureau of Indian Affairs*

- **DOJ Grant Program for SDVCJ Implementation**

Last December, Congress appropriated \$2.5 million for the program originally authorized in VAWA 2013 to support tribal efforts to implement SDVCJ. Seven tribes recently received awards from this program. DOJ will provide an update on the new program.

- **Access to Federal Criminal Information Databases and DOJ’s Tribal Access Program (TAP)**

Participants will be given an update on DOJ’s TAP program. TAP was launched in 2015 to address tribal barriers to accessing the federal criminal information databases. Ten tribes, including CTUIR and the Tulalip Tribes, are currently participating in a User Feedback Phase. DOJ recently announced it is expanding the program to serve additional tribes

- **Arrest Authority Guidance**

Participants will hear from DOJ and DOI about their efforts to develop guidance clarifying tribal arrest authority over non-Indians.

- **Health care costs for non-Indian inmates**

We will discuss the challenges tribes face covering health care costs for non-Indian inmates and possible options for managing costs.

4:15 – 5:00 p.m. **Discussion: Establishing a Tribal Domestic Violence Court or Docket**

Facilitator: Kelly Stoner, TLPI

During this session, participants will learn about tribal domestic violence courts or dockets and how they can be a useful tool for addressing domestic violence and implementing SDVCJ.

5:00 – 5:30 p.m. **Wrap-up and Next Steps**

OPTIONAL: There will be a tribal caucus meeting at 6pm in the Pasadena Room to prepare for the consultation on violence against Native women the following day.